

ABSTRACT/SYNOPSIS OF THE ESSENTIAL ELEMENTS OF THE COMMON COUNCIL OF THE CITY OF WHITEWATER, WALWORTH AND JEFFERSON COUNTIES, WISCONSIN.

June 18, 2013

The regular meeting was called to order by Council President Singer. MEMBERS PRESENT: Olsen, Bregant, Binnie, Abbott, Singer, Kidd. MEMBERS ABSENT: Winship.

It was moved by Olsen and seconded by Binnie to approve the Council Minutes of 6/4/13 (with corrections) and acknowledge receipt and filing of the following: Plan Commission Minutes of 5/13/13; Landmarks Commission Minutes of 4/2/13 and 5/2/13; the Report of Manually-Issued Checks for May, 2013; and the Financial Reports for May, 2013. AYES: Olsen, Bregant, Binnie, Abbott, Singer, Kidd. NOES: None. ABSENT: Winship.

PAYMENT OF INVOICES. It was moved by Olsen and seconded by Binnie to approve payment of city invoices in the total sum of \$70,553.58. AYES: Olsen, Bregant, Binnie, Abbott, Singer, Kidd. NOES: None. ABSENT: Winship.

STAFF REPORTS: City Manager Clapper reported on the Well #7 Emergency Repairs and Neighborhood Services Director Birkeland reported on Federal Emergency Management Flood Insurance Maps.

CITIZEN COMMENTS: 4th of July Committee Chairperson Scharine expressed concern over the weeds in Cravath Lake, and indicated he was not sure whether the Lake was in good enough condition for the water skiers to perform during the Independence Day celebration.

COMPLIANCE MAINTENANCE RESOLUTION. The annual Compliance Maintenance Resolution was presented for Council approval.

**City of Whitewater
Wisconsin Department of Natural Resources
Compliance Maintenance Annual Report Resolution
2012**

WHEREAS, it is a requirement under a Wisconsin Pollutant Discharge Elimination System (WPDES) permit issued by the Wisconsin Department of Natural Resources to file a Compliance Maintenance Annual Report (CMAR) for its wastewater facilities under Wisconsin Administrative Code NR 208;

WHEREAS, it is necessary to acknowledge that the governing body has reviewed the CMAR;

WHEREAS, it is necessary to provide recommendations or an action plan for all CMAR section grades of "C" or less and/or an overall grade point average <3.00;

BE IT RESOLVED, the city council in the City of Whitewater informs the Department of Natural Resources that the 2012 CMAR was reviewed and this resolution was voted on as follows:

Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Binnie. AYES: Olsen, Bregant, Binnie, Abbott, Singer, Kidd. NOES: None. ABSENT: Winship.

SECOND READING OF ORDINANCE PROHIBITING PARKING ON PORTIONS OF E. MAIN STREET. It was confirmed that affected property owners were notified of the proposed ordinance change. Presented for approval was an ordinance prohibiting parking on E. Main Street, from Cherry to Wakely (both sides); Harris to Newcomb (both sides) ; Fonda to Harris (south side only) and Wakely to Fonda (both sides). Several area residents expressed opposition to the proposed ordinance. Members of the Harmann family, residents of E. Main Street, were present and expressed concern about the reduction in parking options for their residence. Councilmember Kidd indicated that safe bike lanes are important, but he is also sensitive to disruptions to residents. Kidd did note that the ability to use the alley running parallel to E. Main Street did mitigate the issue somewhat. Councilmember Binnie inquired whether there is sufficient road width at the area in question to provide for parking on one side and bike lanes on both sides. He recommended that the matter be referred to the Engineer. The matter will be reviewed, and the Neighborhood Services Director will meet with the neighbors prior to the matter coming back to Council. It was moved by Kidd and seconded by Olsen to direct staff to work with the neighborhood, staff, and Bike and Pedestrian groups to see if a consensus can be met. The second reading did not pass, and the matter will be brought back to the Council. AYES: Olsen, Abbott, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: Winship.

JULY 4TH REQUEST TO CLOSE PORTIONS OF WHITEWATER STREET. It was moved by Olsen and seconded by Binnie to approve closure of portions of Whitewater Street to allow for the annual 4th of July celebration. Whitewater Street occupants were notified of the closure by mail. AYES: Olsen, Bregant, Binnie, Abbott, Singer, Kidd. NOES: None. ABSENT: Winship.

CLOSURE OF STREETS FOR EVENTS. Although several councilmembers thought the policy had been changed, it was noted that the current process to close a Street is to bring the request before the Common Council for approval. Several councilmembers are willing to allow the City Manager to make the determination about street closures. Notification of residents regarding street closures was discussed at length. It was mentioned that the prior Neighborhood Services Director personally delivered notices to Whitewater Street residents when the street was going to be closed for 4th of July events. Council consensus was to have city staff be responsible for notifying residents of street closures for special events, to assure that notifications were handled consistently. It was also noted that Whitewater Street occupants have much disruption over the 4th of July events, and sensitivity to street closure issues needs to be used.

COMMUNICATIONS CENTER STUDY. Police Chief Lisa Otterbacher gave a lengthy report on the Communications Center Staff Study performed by APCO. The study indicated that current staffing levels are not adequate to handle the workload. Comparisons were made of 1) combined services (Whitewater PD, University Police Department, Whitewater Fire Department and Rescue Squad; 2) having Walworth County Communications Center perform duties (Police Chief Otterbacher cautioned against this option, stating that this service, which is already funded by Walworth County taxpayers, would not provide services for anything but 9-1-1 calls); 3) a Stand-Alone 9-1-1 Center (would create a jointly operated 911 center similar to the model used in Rock County). The Common Council requested that any decision be postponed until the Fire Department / Rescue Squad study is completed.

APPOINTMENT OF CITIZENS TO PLAN COMMISSION, ETHICS COMMITTEE AND LANDMARKS COMMISSION. It was moved by Singer and seconded by Olsen to approve appointment of the following citizens to Boards and Commissions: **Ethics Committee:** Jim Stewart; Jan Bilgen and Kristine Zaballos; **Landmarks Commission:** Suzanne Popke (note that Suzanne resides out of the City limits, but does own a designated Landmark in the City); and **Plan Commission:** Sherry Stanek. AYES: Olsen, Bregant, Binnie, Abbott, Singer, Kidd. NOES: None. ABSENT: Winship

AUTHORIZATION TO RETAIN ATTORNEY BEN SOUTHWICK. City Attorney McDonell indicated that there are some complex eminent domain acquisitions necessary for the East Gateway Highway 12 improvement project. McDonell recommended retaining Attorney Ben Southwick to assist in the eminent domain actions necessary for the project. McDonell indicated that Southwick is considered to be one of the best eminent domain attorneys in the State. The rate is \$200 per hour for attorney's time and \$100 per hour for travel time. It was moved by Olsen and seconded by Binnie to retain Ben Southwick to assist with the East Gateway Highway 12 project. AYES: Olsen, Bregant, Binnie, Abbott, Singer, Kidd. NOES: None. ABSENT: Winship

RENEWAL OF LIQUOR LICENSES. It was moved by Olsen and seconded by Binnie to approve the renewal of the following licenses: Lacey Reichwald, The Sweet Spot (Class B Beer and Class C Wine) and C.A. Pope, Five Points Shell (Class A Beer). AYES: Olsen, Bregant, Binnie, Abbott, Singer, Kidd. NOES: None. ABSENT: Winship

ALDERMANIC DISTRICT 1 COUNCIL SEAT. Councilmember Olsen tendered his resignation effective June 29, 2013. Councilmembers wished Olsen well as he moves on to Big Flats, Wisconsin. Common Council directed staff to advertise for the position, having applications due to Council one week before the July 16th meeting. It was moved by Binnie and seconded by Abbott to accept with regret, the resignation of Councilmember Olsen, with thanks for his years of service to the community, and direct the Clerk to advertise for a replacement member with application deadline to be July 9. Applications will be discussed at the July 16 meeting. AYES: Abbott, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: Winship. ABSTAIN: Olsen.

CANCELLATION OF JULY 2, 2013 COUNCIL MEETING. It was moved by Olsen and seconded by Binnie to cancel the July 2, 2013 council meeting. AYES: Olsen, Bregant, Binnie, Abbott, Singer, Kidd. NOES: None. ABSENT: Winship.

FUTURE AGENDA ITEMS: None.

EXECUTIVE SESSION. It was moved by Singer and seconded by Olsen to Adjourn to Closed Session, to reconvene approximately 10 minutes after adjournment to closed session, pursuant to Wisconsin Statutes 19.85(1)(c) "Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility". Item to be discussed: Salary Adjustments for Police Department Personnel. AYES: Olsen, Bregant, Binnie, Abbott, Singer, Kidd. NOES: None. ABSENT: Winship. (8:55 p.m.)

RECONVENE INTO OPEN SESSION. (9:00 p.m.)

RESOLUTION AMENDING 2013 SALARY RESOLUTION. City Manager Clapper presented a salary resolution that made the following changes: 1) Corrected the grade the Neighborhood Services Manager was in, and changed the position title to Neighborhood Services Director. 2) Removed the Police Lieutenant and Police Captain positions from the “management” section of the salary resolution and relocated those positions to the Police Patrol section of the salary resolution. 3) Gave those two positions a salary increase (Captain increased to \$79,930 and Lieutenant increased to \$75,890). Resolution introduced by Councilmember Olsen, who moved its adoption. Seconded by Councilmember Abbot. AYES: Olsen, Abbott, Binnie, Singer, Bregant, Kidd. NOES: None. ABSENT: Winship. ADOPTED: June 18, 2013.

ADJOURNMENT. Being no further business to come before the meeting, the meeting adjourned at 9:05 p.m.

Respectfully submitted,

Michele R. Smith,